

UNITED STATES DISTRICT COURT  
for the  
Northern District of California

Cooke \_\_\_\_\_ )  
Plaintiff \_\_\_\_\_ )  
v. \_\_\_\_\_ ) Civil Action No. CV 08-00016 JL  
Harpum \_\_\_\_\_ )  
Defendant \_\_\_\_\_ )

**Summons in a Civil Action**

To: (Defendant's name and address)

See Attached List

A lawsuit has been filed against you.

Within 20 days after service of this summons on you (not counting the day you received it), you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney, whose name and address are:

Alan A. Cooke, c/o Kim Starr, P.O. Box 5692, Eureka 95502

If you fail to do so, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Date: September 2, 2008

*Richard W. Wielking*  
\_\_\_\_\_  
Name of clerk of court  
*Gloria Acevedo*  
\_\_\_\_\_  
Deputy clerk's signature

Murl Harpham, Captain  
Eureka Police Department  
604 C Street, Eureka, CA 95501

Steve Watson, Officer  
Eureka Police Department  
604 C Street, Eureka, CA 95501

Terence Liles, Officer  
Eureka Police Department  
604 C Street, Eureka, CA 95501

Eureka Police Department  
604 C Street, Eureka, CA 95501

The County of Humboldt  
Humboldt County DA Office  
825 5<sup>th</sup> Street, Room 111, Eureka, CA 95501

Jim Dawson, DA retired  
Humboldt County DA Office  
825 5<sup>th</sup> Street, Eureka, CA 95501

Paul Gallegos, District Attorney  
Humboldt County DA Office  
825 5<sup>th</sup> Street, Eureka, CA 95501

Marvin Kirkpatrick, Det.  
Humboldt County Sheriffs Department  
826 4<sup>th</sup> Street, Eureka, CA 95501

Gary Philip, Sheriff  
Humboldt County Sheriffs Department  
826 4<sup>th</sup> Street, Eureka, CA 95501

Michael Medlin, ATF Agent  
U.S. Department of Justice  
5601 Arnold Road, Suite 400, Dublin, CA 94668

Anglin, ATF Supervisor  
U.S. Department of Justice  
5601 Arnold Road, Suite 400, Dublin, CA 94668

The City of Eureka  
531 K Street, Eureka, CA 95501

## Proof of Service

I declare under penalty of perjury that I served the summons and complaint in this case on \_\_\_\_\_, by:

(1) personally delivering a copy of each to the individual at this place, \_\_\_\_\_; or \_\_\_\_\_;

(2) leaving a copy of each at the individual's dwelling or usual place of abode with who resides there and is of suitable age and discretion; or

(3) delivering a copy of each to an agent authorized by appointment or by law to receive it whose name is \_\_\_\_\_; or

(4) returning the summons unexecuted to the court clerk on \_\_\_\_\_; or

(5) other (specify) \_\_\_\_\_  
\_\_\_\_\_

Date: \_\_\_\_\_

Server's signature

**Printed name and title**

### Server's address

**U.S. Department of Justice**  
United States Marshals Service

**PROCESS RECEIPT AND RETURN**

*See "Instructions for Service of Process by U.S. Marshal"*

PLAINTIFF ALAN A. COOKE	COURT CASE NUMBER 08-16 JL
DEFENDANT CHIEF MURL HARPUM	TYPE OF PROCESS SUMMONS COMPLAINT ORDER

NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC. TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN

**SERVE** { Captain Murl Harpham, Eureka Police Department  
AT ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code)  
604 C Street, Eureka, CA 95501

SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW	Number of process to be served with this Form 285 3
ALAN A. COOKE C/O KIM STARR P.O. BOX 5692 EUREKA, CA 95502	Number of parties to be served in this case 13
	Check for service on U.S.A.

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (*Include Business and Alternate Addresses, All Telephone Numbers, and Estimated Times Available for Service*):

Fold

Fold

Signature of Attorney other Originator requesting service on behalf of: GLORIA ACEVEDO	<input checked="" type="checkbox"/> PLAINTIFF <input type="checkbox"/> DEFENDANT	TELEPHONE NUMBER 415-522-3080	DATE 8/25/08
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**SPACE BELOW FOR USE OF U.S. MARSHAL ONLY-- DO NOT WRITE BELOW THIS LINE**

I acknowledge receipt for the total number of process indicated. (Sign only for USM 285 if more than one USM 285 is submitted)	Total Process No. _____	District of Origin No. _____	District to Serve No. _____	Signature of Authorized USMS Deputy or Clerk	Date
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I hereby certify and return that I am unable to locate the individual, company, corporation, etc. named above (See remarks below)

Name and title of individual served (if not shown above)	<input type="checkbox"/> A person of suitable age and discretion then residing in defendant's usual place of abode	
Address (complete only different than shown above)	Date	Time <input type="checkbox"/> am <input type="checkbox"/> pm
	Signature of U.S. Marshal or Deputy	

Service Fee	Total Mileage Charges including <i>endeavors</i> )	Forwarding Fee	Total Charges	Advance Deposits	Amount owed to U.S. Marshal* or (Amount of Refund*)  <b>\$0.00</b>
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REMARKS:

PRINT 5 COPIES:

1. CLERK OF THE COURT
2. USMS RECORD
3. NOTICE OF SERVICE
4. BILLING STATEMENT\*: To be returned to the U.S. Marshal with payment, if any amount is owed. Please remit promptly payable to U.S. Marshal.
5. ACKNOWLEDGMENT OF RECEIPT

PRIOR EDITIONS MAY BE USED

**U.S. Department of Justice**  
United States Marshals Service

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PLAINTIFF ALAN A. COOKE	COURT CASE NUMBER 08-16 JL
DEFENDANT CHIEF MURL HARPUM	TYPE OF PROCESS SUMMONS COMPLAINT ORDER
NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC. TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN	
<b>SERVE</b> { AT	Officer Steve Watson, Eureka Police Department ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code) 604 C Street, Eureka, CA 95501

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PLAINTIFF ALAN A. COOKE	COURT CASE NUMBER 08-16 JL
DEFENDANT CHIEF MURL HARPUM	TYPE OF PROCESS SUMMONS COMPLAINT ORDER

**SERVE** NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC. TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN  
**AT** Officer Terence Liles, Eureka Police Department  
ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code)  
604 C Street, Eureka, CA 95501

SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW	Number of process to be served with this Form 285	3
<span style="border: 1px solid black; padding: 5px;">ALAN A. COOKE C/O KIM STARR P.O. BOX 5692 EUREKA, CA 95502</span>	Number of parties to be served in this case	13
	Check for service on U.S.A.	

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Signature of Attorney other Originator requesting service on behalf of: <b>GLORIA ACEVEDO</b>	<input checked="" type="checkbox"/> PLAINTIFF	TELEPHONE NUMBER	DATE
	<input type="checkbox"/> DEFENDANT	415-522-3080	8/25/08

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**U.S. Department of Justice**  
United States Marshals Service

**PROCESS RECEIPT AND RETURN**

See *"Instructions for Service of Process by U.S. Marshal"*

PLAINTIFF ALAN A. COOKE	COURT CASE NUMBER 08-16 JL
DEFENDANT CHIEF MURL HARPUM	TYPE OF PROCESS SUMMONS COMPLAINT ORDER

**SERVE** { NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC. TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN  
**AT** The Eureka Police Department  
 ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code)  
 604 C Street, Eureka, CA 95501

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Signature of Attorney other Originator requesting service on behalf of: GLORIA ACEVEDO	<input checked="" type="checkbox"/> PLAINTIFF	TELEPHONE NUMBER	DATE
	<input type="checkbox"/> DEFENDANT	415-522-3080	8/25/08

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PRIOR EDITIONS MAY BE USED

Form USM-285  
Rev. 12/15/80  
Automated 01/00

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United States Marshals Service

**PROCESS RECEIPT AND RETURN**

See *"Instructions for Service of Process by U.S. Marshal"*

PLAINTIFF ALAN A. COOKE	COURT CASE NUMBER 08-16 JL
DEFENDANT CHIEF MURL HARPUM	TYPE OF PROCESS SUMMONS COMPLAINT ORDER

**SERVE** { NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC. TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN  
**AT** { The County of Humboldt  
 ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code)  
 825 5th Street, Room 111, Eureka, CA 95501

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Signature of Attorney other Originator requesting service on behalf of: GLORIA ACEVEDO	<input checked="" type="checkbox"/> PLAINTIFF <input type="checkbox"/> DEFENDANT	TELEPHONE NUMBER 415-522-3080	DATE 8/25/08
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Address (complete only different than shown above)	Date Time <input type="checkbox"/> am <input type="checkbox"/> pm Signature of U.S. Marshal or Deputy

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PLAINTIFF ALAN A. COOKE	COURT CASE NUMBER 08-16 JL
DEFENDANT CHIEF MURL HARPUM	TYPE OF PROCESS SUMMONS COMPLAINT ORDER

NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC. TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN

**SERVE** { Jim Dawson  
**AT** ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code)  
825 5th Street, Eureka, CA 95501

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Signature of Attorney other Originator requesting service on behalf of: <b>GLORIA ACEVEDO</b>	<input checked="" type="checkbox"/> PLAINTIFF <input type="checkbox"/> DEFENDANT	TELEPHONE NUMBER 415-522-3080	DATE 8/25/08
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PLAINTIFF ALAN A. COOKE	COURT CASE NUMBER 08-16 JL
DEFENDANT CHIEF MURL HARPUM	TYPE OF PROCESS SUMMONS COMPLAINT ORDER

**SERVE** { NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC. TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN  
**AT** Paul Gallegos, District Attorney  
 ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code)  
 825 5th Street, Eureka, CA 95501

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DEFENDANT CHIEF MURL HARPUM	TYPE OF PROCESS SUMMONS COMPLAINT ORDER

**SERVE** { NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC. TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN  
**AT** Det. Marvin Kirkpatrick, Humboldt County Sheriffs Department  
 ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code)  
 826 4th Street, Eureka, CA95501

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Rev. 12/15/80  
Automated 01/00

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**SERVE** { NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC. TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN  
**AT** Sheriff Gary Philip  
 ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code)  
 826 4th Street, Eureka, CA 95501

SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW	Number of process to be served with this Form 285 3
ALAN A. COOKE C/O KIM STARR P.O. BOX 5692 EUREKA, CA 95502	Number of parties to be served in this case 13
	Check for service on U.S.A.

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (*Include Business and Alternate Addresses, All Telephone Numbers, and Estimated Times Available for Service*):

Fold \_\_\_\_\_ Fold \_\_\_\_\_

Signature of Attorney other Originator requesting service on behalf of: <b>GLORIA ACEVEDO</b>	<input checked="" type="checkbox"/> PLAINTIFF	TELEPHONE NUMBER 415-522-3080	DATE 8/25/08
	<input type="checkbox"/> DEFENDANT		

**SPACE BELOW FOR USE OF U.S. MARSHAL ONLY-- DO NOT WRITE BELOW THIS LINE**

I acknowledge receipt for the total number of process indicated. (Sign only for USM 285 if more than one USM 285 is submitted)	Total Process _____	District of Origin No. _____	District to Serve No. _____	Signature of Authorized USMS Deputy or Clerk	Date
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I hereby certify and return that I  have personally served,  have legal evidence of service,  have executed as shown in "Remarks", the process described on the individual, company, corporation, etc., at the address shown above on the individual, company, corporation, etc. shown at the address inserted below.

I hereby certify and return that I am unable to locate the individual, company, corporation, etc. named above (See remarks below)

Name and title of individual served (if not shown above)	<input type="checkbox"/> A person of suitable age and discretion then residing in defendant's usual place of abode	
Address (complete only different than shown above)	Date	Time <input type="checkbox"/> am <input type="checkbox"/> pm
	Signature of U.S. Marshal or Deputy	

Service Fee	Total Mileage Charges including endeavors)	Forwarding Fee	Total Charges	Advance Deposits	Amount owed to U.S. Marshal* or (Amount of Refund*) <b>\$0.00</b>
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REMARKS:

**PRINT 5 COPIES:**  
1. CLERK OF THE COURT  
2. USMS RECORD

3. NOTICE OF SERVICE  
4. BILLING STATEMENT\*: To be returned to the U.S. Marshal with payment, if any amount is owed. Please remit promptly payable to U.S. Marshal.  
5. ACKNOWLEDGMENT OF RECEIPT

PRIOR EDITIONS MAY BE USED

Form USM-285  
Rev. 12/15/80  
Automated 01/00

**U.S. Department of Justice**  
United States Marshals Service

**PROCESS RECEIPT AND RETURN**

*See "Instructions for Service of Process by U.S. Marshal"*

PLAINTIFF ALAN A. COOKE	COURT CASE NUMBER 08-16 JL
DEFENDANT CHIEF MURL HARPUM	TYPE OF PROCESS SUMMONS COMPLAINT ORDER

**SERVE** { NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC. TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN  
**AT** { ATF Agent Michael Medlin, United States Dept. of Justice, ATF  
 ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code)  
 5601 Arnold Road, Suite 400, Dublin, CA 94668

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 531 K Street, ~~EUREKA~~, CA 95501

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## **INSTRUCTIONS FOR SERVICE OF PROCESS BY U.S. MARSHAL**

Please type or print legibly, insuring readability of all copies. DO NOT DETACH ANY COPIES. Submit one complete set of this form (USM-285) and one copy of each writ for each individual, company, corporation, etc., to be served or property to be seized or condemned. The applicable fees for such service(s) (T28, USC Sec. 1921 establishes the fees for service of process by the U.S. Marshal) may be required prior to said service.

For service of any process upon an officer or agent of the United States Government, submit a copy of the writ and a set of Form USM-285 for each officer or agent upon whom service is desired. Submit three (3) additional copies of the writs for service upon the Government of the United States. The U.S. Marshal will serve one (1) upon the U.S. Attorney and will forward two (2) to the Attorney General of the United States. (When the applicable box is checked, completion of the final signature block by the U.S. Marshal or his Deputy always certifies service on the U.S. Attorney and the Attorney General, regardless of whether other defendants on the writ were served.) Failure to provide any of the copies will delay service of the writ.

Complete all entries above the double line. Mark all applicable check boxes and use the "Special Instructions" to advise of any information that will assist the U.S. Marshal in expediting service.

If more than one writ and USM-285 is submitted on a single case, the U.S. Marshal will receipt for all of them on the first USM-285. You will receive for your records the last (No. 5) "Acknowledgment of Receipt" copy for all the USM-285 forms you submit. When the writ is served, you will receive the No. 3 Notice of Service copy. This copy will be identical to the return to the Clerk of the Court.

Upon completion of all services (if the Marshals fees were not requested or tendered in advance or if additional fees are indicated), you will receive a "Billing Statement" (copy 4 of USM-285) from the United States Marshal. (NOTE: Copy 4 should be returned, by you, to the U.S. Marshal, together with your payment of the amount owed.

Additional supplies of the USM-285 may be obtained from the Clerk of the U.S. District Court or U.S. Marshal, without cost.